

**IN THE UNITED STATES DISTRICT COURT
OF THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

THOMAS D. CHESSHIRE
Plaintiff

V.

**COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION**
Defendant

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No. 5:13CV67

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Caroline M. Craven pursuant to 28 U.S.C. § 636. The Report of the Magistrate Judge which contains her proposed findings of fact and recommendations for the disposition of such action has been presented for consideration. No objections to the Report and Recommendation were filed. The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the Report of the United States Magistrate Judge as the findings and conclusions of this Court. Accordingly, it is hereby

ORDERED that Defendant's Unopposed Motion to Remand Pursuant to Sentence Four of 42 U.S.C. §405(g) (Dkt. No. 14) is hereby **GRANTED**. It is further


ORDERED that Plaintiff's above-entitled and numbered civil action is **REVERSED and REMANDED** under the fourth sentence of the Social Security Act, 42 U.S.C. § 405(g), to the Commissioner of the Social Security Administration for further administrative proceedings before an Administrative Law Judge ("ALJ"). It is further

ORDERED that on remand an ALJ will further develop the record. The ALJ will also

reevaluate Plaintiff's mental impairments, including, in particular, whether Plaintiff met Listing 12.05C. In doing so, the ALJ should explicitly address the validity of Plaintiff's intelligence quotient (IQ) scores and resolve any conflicts in the evidence. The ALJ will also issue a new decision. It is further

ORDERED that all motions not previously ruled on are **DENIED**, and the referral order is **VACATED**.

SIGNED this 19th day of June, 2014.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE